

## **REMARKS**

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-6 and 8-29 are pending in the application, with claims 1, 10, 20 and 29 being independent. Claim 7 is canceled herein without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 4, 10, 20, 29 are amended herein. Support for the claim amendments and additions can be found in the original disclosure. No new matter has been added.

## **DRAWING OBJECTIONS**

The drawings stand objected to for a typographic error. The drawings are amended herein to address the informalities noted in the Office Action. Accordingly, Applicant requests withdrawal of the drawing objections.

## **CLAIM OBJECTIONS**

Claims 1-19 stand objected to because of claim informalities. Claims 1, 4, and 10 are amended herein to address the informalities noted in the Office Action. Accordingly, Applicant requests withdrawal of the claim objections.

## **§ 112 SECOND PARAGRAPH REJECTIONS**

Claims 1-9 and 20-28 stand rejected under 35 U.S.C. § 112, as allegedly being indefinite. This rejection is respectfully traversed. Nevertheless, without conceding the propriety of the rejection and in the interest of expediting allowance of the application,

claim 7 has been canceled rendering the rejection of that claim moot, and claims 1 and 20 have been amended as proposed during the interview and are believed to be allowable.

### **§ 103 REJECTIONS**

Claims 1-29 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6725279 (Richter) in view of U.S. Patent No. 5878431 (Potterveld). Applicant respectfully traverses the rejection. Nevertheless, without conceding the propriety of the rejection and in the interest of expediting allowance of the application, claim 7 has been canceled rendering the rejection of that claim moot, and claims 1, 10, 20 and 29 have been amended as proposed during the interview and are believed to be allowable.

**Independent claim 1**, as presently presented recites, among other things, a method “to facilitate seamless presentation of media during dynamic changes,” ”associating a source node with the same instance of the decoder and requiring that the same decoder be used if a media source node is re-used in a subsequent topology or a destination node with the same instance of the encoder and requiring that the same encoder be used if a media destination node is re-used in a subsequent topology,” and “facilitating the seamless presentation when receiving data from the media source node by starting a presentation clock after receiving data at the media sink node.”

Richter is directed to a multimedia processing system. Richter discloses a multimedia processing system architecture which permits an application interface to select multimedia processing blocks. Richter, column 2, lines 10-27. However, Richter fails to disclose or suggest “facilit[ating] seamless presentation of media during dynamic

changes,” ”associating a source node with the same instance of the decoder and requiring that the same decoder be used if a media source node is re-used in a subsequent topology or a destination node with the same instance of the encoder and requiring that the same encoder be used if a media destination node is re-used in a subsequent topology,” or “facilitating the seamless presentation when receiving data from the media source node by starting a presentation clock after receiving data at the media sink node,” as presently recited in independent claim 1.

Potterveld was cited for its alleged teaching of “retrieving a cached media pipeline topology” (Office Action, page 7). However, Potterveld fails to remedy the deficiencies in Richter noted above with respect to claim 1. For example, Potterveld fails to disclose or suggest “facilit[ating] seamless presentation of media during dynamic changes,” ”associating a source node with the same instance of the decoder and requiring that the same decoder be used if a media source node is re-used in a subsequent topology or a destination node with the same instance of the encoder and requiring that the same encoder be used if a media destination node is re-used in a subsequent topology,” or “facilitating the seamless presentation when receiving data from the media source node by starting a presentation clock after receiving data at the media sink node,” as presently recited in independent claim 1.

Thus, Richter and Potterveld, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the features of claim 1. Accordingly, as discussed during the interview, independent claim 1 is allowable.

**Dependent claims 1-6 and 8-9** depend from independent claim 1 and are allowable by virtue of this dependency, as well as for additional features that they recite.

**Independent claim 10**, as presently presented recites, among other things, that “a presentation clock is started after receiving data at a node.”

Richter is directed to a multimedia processing system. However, Richter fails to disclose or suggest that “a presentation clock is started after receiving data at a node,” as presently recited in independent claim 10.

Potterveld was cited for its alleged teaching of “a cached media topology” (Office Action, page 13). However, Potterveld fails to remedy the deficiencies in Richter noted above with respect to claim 10. For example, Potterveld fails to disclose or suggest “a presentation clock is started after receiving data at a node,” as presently recited in independent claim 10.

Thus, Richter and Potterveld, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the features of claim 10. Accordingly, as discussed during the interview, independent claim 10 is allowable.

**Dependent claims 11-19** depend from independent claim 10 and are allowable by virtue of this dependency, as well as for additional features that they recite.

**Independent claim 20**, as presently presented recites, among other things, “start[ing] a presentation clock after receiving data at the media sink node.”

Richter is directed to a multimedia processing system. However, Richter fails to disclose or suggest “start[ing] a presentation clock after receiving data at the media sink node,” as presently recited in independent claim 20.

Potterveld was cited for its alleged teaching of “a cached media topology” (Office Action, page 20). However, Potterveld fails to remedy the deficiencies in Richter noted above with respect to claim 20. For example, Potterveld fails to disclose or suggest “start[ing] a presentation clock after receiving data at the media sink node,” as presently recited in independent claim 20.

Thus, Richter and Potterveld, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the features of claim 20. Accordingly, as discussed during the interview, independent claim 20 is allowable.

**Dependent claims 21-28** depend from independent claim 20 and are allowable by virtue of this dependency, as well as for additional features that they recite.

**Independent claim 29**, as presently presented recites, among other things, “means for associating the nodes with the same instance of their encoder or decoder and requiring the same encoder or decoder be re-used in a subsequent topology.”

Richter is directed to a multimedia processing system. However, Richter fails to disclose or suggest a “means for associating the nodes with the same instance of their encoder or decoder and requiring the same encoder or decoder be re-used in a subsequent topology,” as presently recited in independent claim 29.

Potterveld was cited for its alleged teaching of “a cached media topology” (Office Action, page 26). However, Potterveld fails to remedy the deficiencies in Richter noted above with respect to claim 29. For example, Potterveld fails to disclose or suggest “means for associating the nodes with the same instance of their encoder or decoder and requiring the same encoder or decoder be re-used in a subsequent topology,” as presently recited in independent claim 29.

Thus, Richter and Potterveld, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the features of claim 29. Accordingly, as discussed during the interview, independent claim 29 is allowable.

### **CONCLUSION**

For at least the foregoing reasons, claims 1-6 and 8-29 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

If any issue remains unresolved that would prevent allowance of this case,  
**Applicant requests that the Examiner contact the undersigned to resolve the issue.**

Respectfully Submitted,

Lee & Hayes, PLLC  
Representatives for Applicant

\_\_\_\_/Dominic S. Lindauer/\_\_\_\_ Dated: \_\_9/22/08\_\_\_\_

Dominic S. Lindauer (dominic@leehayes.com; x229)

Registration No. 61417

David A. Divine (daved@leehayes.com; x233)

Registration No. 51275

Customer No. 22801

Telephone: (509) 324-9256

Facsimile: (509) 323-8979

www.leehayes.com